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10/579,950	11/07/2006	Theo Buchner	ZTP03P01760	9275

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EXAMINER
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MEJIA, ANTHONY

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/579,950	<b>Applicant(s)</b> BUCHNER ET AL.	
	<b>Examiner</b> ANTHONY MEJIA	<b>Art Unit</b> 2451	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 11-15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 May 2006 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. It is acknowledged that Claims 1-10 have been cancelled, and Claims 11-20 are pending in this application.

#### ***Priority***

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy of PCT/EP04/53045 has been filed.

#### ***Claim Objections***

3. Claim 11 is objected to because of the following informalities: it appears that word "to" in "...a communication connection between a domestic appliance connected in a local area network to which further domestic appliances are connected, to a bus line configuration..." should be replaced with the word "and" in order to show that the connection is between a domestic appliance and a bus line configuration. Claims 12-15 are also objected to for at least inheriting the same deficiency of claim 11 thru their dependencies. Appropriate correction or explanation of why the current wording is proper, is required.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aisa (US 6,853,291) and in further view of Swales (US 2006/0031488)

Regarding Claim 11, Aisa teaches a method for determining an interruption (e.g., improper operating condition, col.7, lines 63-67, col.8, lines 1-7) of a communication connection between a domestic appliance (household appliances C) connected in a local area network (network R) to which further domestic appliances (household appliances C) are connected (e.g., household appliances C, indicates as a whole a set of house hold appliances belonging to the same household environment (e.g., LAN), col.3, lines 39-46, col.9, lines 28-46, and see fig.1), *and* a bus line arrangement (col.3, lines 35-46, col.4, lines 43-50, and see fig.1) comprising a bus line controller (e.g., device F, col.4, lines 16-43, and see fig.1) comprising the steps of:

transmitting information to the bus line controller about an appliance status of the domestic appliance (col.4, lines 51-61);

allocating the domestic appliance a unique address for identification (each appliance is identified with a well determined address, col.9, lines 28-46) of the domestic appliance in the local area network (e.g., the functionality that device 7, can display the requested parameters of a selected/specific device on request, further solidifies that each domestic appliance has a unique address for identification, col.5, lines 51-67, col.6, lines 1-4, and col.7, lines 48-54, 61-63).

repeatedly requesting a specific fixed criterion of the domestic appliance (wherein repeatedly requesting a specific fixed criterion is being interpreted as,

Art Unit: 2451

repeatedly requesting for an ON or OFF status of an appliance, in order to determine if the communication connection exists with the relevant domestic appliance and said bus line controller, see par [0011] of Applicant's disclosure) over time (e.g., time to time, periodically, and/or automatically) by the bus line controller if the information includes change information on the appliance status (col.7, lines 63-67,48-54, col.8, lines 1-7 and lines 25-53).

transmitting a reply signal (wherein a reply signal is being interpreted as a notification from the relevant domestic appliance to the bus controller, of it's ON or OFF status, see par [0011] of Applicant's disclosure), (col.4, lines 51-61).

Although, the device 7 in the teachings of Aisa could be programmed to interpret a variety of likely improper behaviors (col.5, lines 48-50), the teachings of Aisa do not explicitly teach wherein an absence of the reply signal being interpreted as an interruption of the communication connection with the domestic appliance resulting in a performance of a search operation for the domestic appliance, the search operation including the steps of:

transmitting a general interrogation signal from the bus line controller to the domestic appliance until the reply signal is received from the domestic appliance again; and

subsequently transmitting further information corresponding to a then valid current status of the domestic appliance to the bus line controller.

However, Swales in a similar field of endeavor discloses an automatic determination of correct IP address for network-connected devices including the step wherein an absence (no) of a reply signal (ARP response 230) being

Art Unit: 2451

interpreted as an interruption of a communication connection with a domestic appliance (target unit 220) (if there is no ARP response 230 sent by the target unit 200 to the supervisor 200's ARP request 210, this is an indication that the target unit 220 is down or failed) resulting in a performance of a search operation for the domestic appliance (pars [0074], [0079-0080], [0106-0108], [0110-0112], [0115], and see fig.5) the search operation including the steps of:

transmitting a general interrogation signal from a bus line controller (supervisor 200) to the domestic appliance (target unit 220) until the reply signal is received from the domestic appliance again (pars [0079-0080], [0110-0112], [0115]); and

subsequently transmitting further information corresponding to a then valid current status of the domestic appliance to the bus line controller (pars [0115]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Swales into the teachings of Aisa in order to properly pinpoint what device has lost connection to the bus line configuration. One of ordinary skill in the art at the time the invention was made would have been motivated to combine the teachings of Aisa and Swales in order to optimize the management of the short-term and long-term interruptions of the devices.

Regarding Claim 12, the combined teachings of Aisa and Swales teach the method according to claim 11 as described above. The combined teachings of Aisa and Swales further teach wherein requesting the specific fixed criterion of

Art Unit: 2451

the domestic appliance cyclically (wherein the term “cyclically” hereinafter is being interpreted as recurring or moving in cycles) (Aisa: col.8. lines 25-39).

Regarding Claim 13, the combined teachings of Aisa and Swales teach the method according to claim 11 as described above. The combined teachings of Aisa and Swales further teach wherein the appliance status is the specific fixed criterion of the domestic appliance (Aisa: col.7, lines 63-67, 48-54 and col.8. lines 25-39).

Regarding Claim 14, the combined teachings of Aisa and Swales teach the method according to claim 11 as described above. The combined teachings of Aisa and Swales further teach wherein carrying out the search operation cyclically (Swales: pars [0074], [0079-0080], [0106-0108], [0110-0112], [0115], and see figs.5 and 7).

Regarding Claim 15, the combined teachings of Aisa and Swales teach the method according to claim 11 as described above. The combined teachings of Aisa and Swales further teach wherein transmitting a current status of the domestic appliance to the bus line controller only after the domestic appliance has been allocated the unique address in the local area network via a registration procedure (pars [0099], [0106-0108], [0115-0117], and [0123]).

Regarding Claim 16, Aisa teaches a device (device 7) for determining an interruption (e.g., improper operating condition, col.7, lines 63-67, col.8, lines 1-7) of a communication connection between a domestic appliance (household appliances C) connected in a local area network (network R) to which further domestic appliances are connected (e.g., household appliances C, indicates as a whole a set of house hold appliances belonging to the same household environment (e.g., LAN), col.3, lines 39-46, col.9, lines 28-46, and see fig.1), the device comprising:

a bus line configuration having a bus line controller said bus line controller receiving information pertaining to an appliance status of the domestic appliance (col.3, lines 35-46, col.4, lines 43-50, and see fig.1);

said bus line controller programmed to allocate a unique address for identifying (each appliance is identified with a well determined address, col.9, lines 28-46) the domestic appliance in the local area network (e.g., the functionality that device 7, can display the requested parameters of a selected/specific device on request, further solidifies that each domestic appliance has a unique address for identification, col.5, lines 51-67, col.6, lines 1-4, and col.7, lines 48-54, 61-63);

said bus line controller programmed to repeatedly request over time a specified fixed criterion of the domestic appliance (wherein repeatedly requesting a specific fixed criterion is being interpreted as, repeatedly requesting for an ON or OFF status of an appliance, in order to determine if the communication connection exists with the relevant domestic appliance and said bus line



Art Unit: 2451

controller, see par [0011] of Applicant's disclosure) when the information transmitted contains change information from the domestic appliance regarding the appliance status (col.7, lines 63-67,48-54, col.8, lines 1-7 and lines 25-53);

said bus line controller configured such that in a presence of the communication connection to the domestic appliance, said bus line controller receiving a reply signal from the domestic appliance (wherein a reply signal is being interpreted as a notification from the relevant domestic appliance to the bus controller, of it's ON or OFF status, see par [0011] of Applicant's disclosure) (col.4, lines 51-61).

Aisa does not explicitly teach wherein said bus line controller containing an evaluation device configured such that, in an absence of the reply signal, said evaluation device providing a message signal indicating an interruption of the communication connection to the domestic appliance, and said bus line controller being constructed so that in response to the message signal, said bus line controller carries out a search operation for the domestic appliance wherein a general interrogation signal is transmitted until the reply signal is obtained from the domestic appliance again, and said bus line controller is further constructed such that said bus line controller then allows information.

However, Swales in a similar field of endeavor discloses an automatic determination of correct IP address for network-connected devices including the wherein a controller (supervisor 200) containing an evaluation device (supervisor 200) configured such that, in an absence of a reply signal, said evaluation device providing a message signal indicating an interruption of the

Art Unit: 2451

communication connection to the domestic appliance (if there is no ARP response 230 sent by the target unit 200 to the supervisor 200's ARP request 210, this is an indication that the target unit 220 is down or failed) (pars [0074], [0079-0080], [0106-0108], [0110-0112], [0115], and see fig.5), and

said bus line controller being constructed so that in response to the message signal, said bus line controller carries out a search operation for the domestic appliance wherein a general interrogation signal is transmitted until the reply signal is obtained from the domestic appliance again, and said bus line controller is further constructed such that said bus line controller then allows information (pars [0079-0080], [0110-0112], [0115]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Swales into the teachings of Aisa in order to properly pinpoint what device has lost connection to the bus line configuration. One of ordinary skill in the art at the time the invention was made would have been motivated to combine the teachings of Aisa and Swales in order to optimize the management of the short-term and long-term interruptions of the devices.

Regarding Claim 17, the combined teachings of Aisa and Swales teach the device according to claim 16, as described above. The combined teachings of Aisa and Swales further teach wherein said bus line controller is a controller which cyclically requests the specified fixed criterion of the domestic appliance (Aisa: col.8. lines 25-39).

Regarding Claim 18, the combined teachings of Aisa and Swales teach the device according to claim 16 as described above. The combined teachings of Aisa and Swales further teach wherein said bus line controller is a controller which cyclically repeatedly requests the appliance status of the domestic appliance (Aisa: col.7, lines 63-67,48-54, col.8, lines 1-7 and lines 25-53).

Regarding Claim 19, the combined teachings of Aisa and Swales teach the device according to claim 16 as described above. The combined teachings of Aisa and Swales further teach wherein said bus line controller is a controller which cyclically carries out the search operation (Swales: pars [0074], [0079-0080], [0106-0108], [0110-0112], [0115], and see fig.5).

Regarding Claim 20, the combined teachings of Aisa and Swales teach the device according to claim 16 as described above. The combined teachings of Aisa and Swales further teach wherein said bus line controller is configured such that before receiving the appliance status of the domestic appliance, said bus line controller performs a registration procedure by which the domestic appliance obtains the unique address in the local area network by which it can be reached in the local area network (Swales: pars [0074], [0079-0080], [0106-0108], [0110-0112], [0115], and see figs.5 and 7).

### ***Response to Arguments***

6. Applicant's arguments, see page 2-11, filed 30 June 2008, with respect to the rejection(s) of claim(s) 1-20 under 103 (a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Aisa with reference to: Swales.

### ***Conclusion***

Examiner has cited particular paragraphs, columns, and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY MEJIA whose telephone number is (571)270-3630. The examiner can normally be reached on Mon-Thur 9:30AM-8:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The

Art Unit: 2451

fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mejia, Anthony  
Patent Examiner

/Salad Abdullahi/  
Primary Examiner, Art Unit 2457